

**BOARD OF NURSING POLICY
UNREADABLE FINGERPRINTS TAKEN FOR CRIMINAL
BACKGROUND CHECK**

RE: LICENSURE with Unreadable Fingerprints

PURPOSE: The purpose of this policy is to protect the health and safety of the citizens of Tennessee by establishing requirements for fingerprints taken for criminal background checks.

AUTHORITY: Tennessee Code Annotated 63-7-207 The Board has the following powers and duties in addition to the powers and duties granted to or imposed upon it by other sections of this chapter:

- (10) Conduct hearings upon charges of suspension or revocation of a license or approval of a school of nursing or course of training, and deny, suspend or revoke for proper cause, licenses or approval of schools or course of training as provided in this chapter. Any action of or ruling or order made or entered by the board shall be subject to review by the courts of this state in the same manner and subject to the same powers and conditions as now provided by law in regard to the rulings, orders and findings of other quasi-judicial bodies in Tennessee, where not otherwise specifically provided;

Tennessee Board of Nursing Rules and Regulations for Registered Nurses 1000-1-.01 (1) (e) [also LPN rules 1000-2-.01 (1) (e)] Licensure by Examination and **1000-1-.02 (1) (e) [also LPN rules 1000-2-.02 (1) (e)]** Licensure by Endorsement

- (1) Application - The application form provided by the Board is to be completed in part by the applicant, signed by him or her, and attested by a notary public.
- (e) Part of this application shall be the result of a criminal background check which the applicant has caused to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials.

POLICY:

Health care consumers are dependent upon professional licensing boards to conduct appropriate screening of applicants. The Board of Nursing has the responsibility to protect the health, safety and welfare of the citizens of the State of Tennessee and to that end has a duty to exclude individuals who pose a risk to the public health, safety and welfare.

One means of predicting future behavior is to look at past behavior. Checking whether applicants for licensure or registration have a criminal history and examining the nature of that history can provide significant information for boards to use in making licensure decisions. To that end, the Board of Nursing asks all new applicants to obtain a criminal background check and have the results transmitted to the Board for examination. In most cases, the fingerprints are clear and easily readable. However, some individuals

cannot get readable fingerprints.

For applicants who twice have submitted unreadable prints, the Board of Nursing adopts the following policy relative to unreadable fingerprints:

The board shall require the applicant to submit to an FBI/TBI fingerprint scan through the State of Tennessee's approved vendor. If an applicant has two unreadable fingerprints scanned by Cogent Inc., the Board shall require a TBI/FBI acceptable name search along with screening through the Application Review Committee.

Adopted: September 27, 2007

Reviewed February 18, 2009

Reaffirmed February 15, 2012